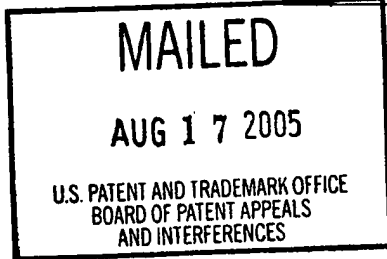


The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GO-HYUN KIM DONG-MAN KIM and TAE-MYUN KIM



Appeal No. 2005-2346
Application No. 10/029,984

ORDER DISMISSING APPEAL

Before FLEMING, Chief Administrative Patent Judge,
HARKCOM, Vice Chief Administrative Patent Judge and WILLIAM F. SMITH,
Administrative Patent Judge.

Per curiam.

This application was electronically received at the Board of Patent Appeals and Interferences (BPAI) on July 8, 2005. During an initial review of the application by the BPAI, it was discovered that the appeal has become moot. As such the appeal is being summarily dismissed. A factual explanation follows :

On July 6, 2004, the appellants appealed from the examiner's final rejection of claims 14-24. Appellants filed an Appeal Brief on September 7, 2004. The Examiner mailed an Answer on November 29, 2004. In the Answer under the heading "**(3)** *Status of Claims*", the examiner states "Claims 16-24 are allowed over the art of record

Appeal No. 2005-2346
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for the reasons espoused in the Reasons for Allowance section (**11**), *infra*.” However, the examiner retained the rejection of claims 14 and 15 under 35 U.S.C. § 102(e).

Appellants filed an amendment on January 31, 2005 in response to the Examiner's Answer mailed November 29, 2004 canceling claims 14 and 15. Therefore there are no longer any claims in the application remaining on appeal before the BPAI.

Accordingly, the appeal for this application is dismissed.

The application is being returned to the examiner for further action as may be appropriate.

DISMISSED


MICHAEL R. FLEMING,
Chief Administrative Patent Judge


GARY V. HARKCOM
Vice Chief Administrative Patent Judge

BOARD OF PATENT APPEALS AND INTERFERENCES


WILLIAM F. SMITH
Administrative Patent Judge

MRF:vsh

Appeal No. 2005-2346
Application No. 10/029,984

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